



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,832	03/07/2002	Carl R. Strathmeyer	024/3X6	2647

7590

03/22/2004

GEGORY D. CALDWELL
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVAND,
SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

QURESHI, AFSAR M

ART UNIT

PAPER NUMBER

2667

121

DATE MAILED: 03/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,832

Applicant(s)

STRATHMEYER ET AL.

Examiner

Afsar M Qureshi

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

1. Provisional rejection of claims 1-5, 10-21, under the judicially created doctrine of double patenting over claims 1-5, 10-21 of copending application no. 10/145,998, is removed in light of Terminal Disclaimer submitted on March 01, 2004.
2. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**
3. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over copending application 10/145,998 and ROSENBERG J. et al. (XP-000870630) in view of SCHULZRINNE et al. (XP-002242382).

Claims 1-10. ROSENBERG J. et al. ('ROSENBERG' hereinafter) disclose a system comprising an SIP *proxy server*, a *first table* of address translation and registration (Domain Name Service, DNS) and *plural terminals* capable of participating in a telephone call over a *packet switching data network* and to modify addressing information (*claim 2*). Redirect servers for company.com (pass through server) are connected to data network contain database entry (*second table* that mirrors first table). The redirect servers redirect the proxy. Data network utilizes TCP/IP wherein multiple SIP sessions are contained in a single TCP/IP (claims 6, 7). The local proxy looks up in

DNS and obtains the IP address of its SIP server and sends proxy request (fake request) to server handling SIP requests (see page 43, fig. 1) (*claims 1, 2 and 10*). ROSENBERG further discloses service logic for SIP (see figure 2) that can be an integral part of the server or in special computers connected to server. The service logic controls calls and exchange information with redirect servers (see page 44, under the heading '*Program location*'). As can be seen from figure 1, proxy server and redirect server are resident on the same hardware platform (*claim 3*). The proxy server is arranged to receive an INVITE request for some user (*claim 4*), which is then forwarded to a local SIP proxy server, which in turn looks up in DNS and forwards information to local database, the user accepts the call and response is returned (*claims 5 and 6*).

ROSENBERG does not specifically disclose software to determine whether a particular call is authorized prior to completing a particular. However, SCHULZRINNE et al. ('SCHULZRINNE' hereinafter), in the same field of endeavor, disclose a method for authentication to ensure the accuracy of the information contained in the session setup request call (*claim 8*). (see page 137, under the heading '*SECURITY*').

As one a skilled artisan would readily understand that SIP makes minimal assumptions about the underlying transport protocol. It can directly use any datagram or stream protocol. SIP can thus be used with UDP or TCP in the Internet and with X.25 (*claim 7*).

As to *claim 9*, SCHULZRINNE discloses '*Multiparty Sessions*' on page 138 where SIP session can use three different multiparty conferencing architecture.

Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to be able to utilize authentication mechanism of SCHULZRINNE and modify the typical SIP transaction of ROSENBERG in order to secure against eavesdropping and to protect the registered users from malicious alteration.

Claims 11-14. ROSENBERG discloses creating an INVITE message for user and forwarded to SIP proxy server (claim 12). Also, that the calling terminals register with proxy server using 'SIP register' message (claim 11). Translating a virtual number to an actual number corresponding to a called terminal, DNS directory, (claim 13) is discussed in the rejection of claim 4. Pass through server communicates with CTI applications computer, e.g., university.edu and other SIP proxy for cs.university.edu or user agent server (claim 14) (see page 43, under the heading '*Signaling Protocol*', figure 1).

Claims 15-16. As discussed in the rejection of claim 1 above, ROSENBERG discloses a *location server* to route requests, monitor or control a call. This logical entity is further explained by SCHULZRINNE on page 137 (see '*Locating Users*').

As for claim 16, ROSENBERG discloses that signaling protocols are used to *tear down sessions* by sending a BYE request.

Claims 17-21. All the limitations claimed herein, such as receiving request (command); authentication (see rejection of claim 8); multiparty conference (see rejection of claim 9) and TCP/IP session are already discussed.

Response to Arguments

4. Applicant's arguments filed on March 01, 2004 have been fully considered but they are not persuasive.

Claims 1 - 9. The Applicant argued that the *redirect* server, taught by ROSENBERG, is not the same as the '*pass through server* connected to data network and through which information between proxy server and any of the terminals passes because the pass through server of the claim 1 is made more aware of all the information passed between a proxy server and any of the terminals of a phone call'.

The Examiner interpreted claim 1 broadly since it is not claimed what *specific information* are made available to the pass through server. However, the redirect server, disclosed by ROSENBERG, is provided 'information' about the user logged in ID through static configuration; data base entry or dynamic binding set up by the user in order to facilitate the call and the response from the user (page 43, first col, also see figure 1).

Claims 10-16. The Applicant argued that reference fails to teach 'use of a fake inbound call message' (page 9).

The Examiner maintains that proxy server transmits proxy request (*fake call*) to server handling SIP request (see figure1) that results in, through proxy chain, initiating a

call form UAC. Since 'proxy request', by proxy server, contains only fake ID of user Joe, the Examiner believes it is the same as fake call claimed herein. *When not defined by applicant, the words of a claim must be given their plain meaning, they must be read as they would be interpreted by those of ordinary skill in the art (MPEP 2111.01).*

Claims 17-21. The Applicant argued that the cited reference does not teach the limitation "receiving commands from an application computer" and "causing one or more terminals to initiate Internet telephone calls, as in claim 17".

The Examiner cited an INVITE request (command) initiated by the user agent client UAC (*application computer*) after going through plurality of university servers. This request by UAC and received by the proxy server is responsible to initiate a call (see ROSENBERG, page 43, column 1).

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afsar M Qureshi whose telephone number is (703) 308 8542.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305 4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



March 18, 2004

**AFSAR QURESHI
PATENT EXAMINER**